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Chris Eaton

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COATS & BENNETT/SONY ERICSSON  
1400 CRESCENT GREEN  
SUITE 300  
CARY, NC 27511

EXAMINER

SANTIAGO CORDERO, MARIVELISSE

ART UNIT

PAPER NUMBER

2617

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/696,864

Applicant(s)

EATON ET AL.

Examiner

Marivelisse Santiago-Cordero

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-30 and 32-35 is/are rejected.
- 7) ☐ Claim(s) 5 and 31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

However, since some of the references still apply, applicant's arguments, regarding claims 1 and 16 have been fully considered but they are not persuasive.

Regarding claims 1 and 16, Applicant argues that even if the grill portions 12a and 12b of Altilio's mobile device can be construed as recessed ports or as openings in a housing, the handle in Altilio spans the entire grill portion, and therefore is not disposed in an opening and does not span an opening in the same manner as required by the claimed invention (Remarks: page 10, 2<sup>nd</sup> full paragraph). In response, the Examiner respectfully disagrees.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., disposed in an opening) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claims only require an attachment member/bar spanning (claim 1) or extending across (claim 16) the opening, not disposed in the opening, as argued. Altilio's attachment member/bar (Fig. 1, reference 35) is clearly shown to span the opening of said acoustic port (Fig. 1, reference 12b) as claimed.

*Claim Objections*

2. Claim 15 is objected to because of the following informalities: the term “combined attachment and” should be deleted in order to be consistent with claim terminology. Appropriate correction is required.

*Claim Rejections - 35 USC § 103*

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 6-10, 12, 16-22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Altilio (Patent No.: 5,898,363) in view of Naruki (Patent No.: 4,450,495).

Regarding claim 1, Altilio discloses a mobile device (Fig. 1) comprising:

a housing (Fig. 1, reference 10);

a speaker disposed within the housing for projecting audible signals from the mobile device (Fig. 2, reference 22; col. 5, lines 22-26); and

an acoustic port (Fig. 1, reference 12b) comprising an opening (Fig. 1, reference 12b; col. 5, lines 22-26) disposed in the housing (Fig. 1) and configured to project audible sound from the speaker through the opening (Figs. 1-2; col. 5, lines 22-26); and

an attachment member (Fig. 1, reference 35) spanning the opening of said acoustic port (Fig. 1).

Altilio fails to specifically disclose for attaching an external strap to the mobile device.

However, Naruki discloses an attachment member (Fig. 6, reference 67) for attaching an external strap (Fig. 6, reference 68) to the mobile device (Fig. 6).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to modify the attachment member of Altilio for attaching an external strap to the mobile device as suggested by Naruki for the advantages of carrying the device without using the hands (Naruki: col. 6, lines 36-37).

Regarding claim 6, in the obvious combination, Altilio discloses further comprising an acoustic channel disposed within the mobile device between the speaker and the acoustic port to acoustically connect the speaker to the acoustic port (Figs. 1-2; col. 5, lines 22-26).

Regarding claim 7, in the obvious combination, Altilio fails to specifically disclose wherein the speaker projects high-level voice audio via the acoustic port. However, in the obvious combination, Naruki discloses wherein the speaker projects high-level voice audio via the acoustic port (col. 1, lines 7-12, 39-42; col. 5, lines 37-42).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to project high-level voice audio via the acoustic port of Altilio as suggested by Naruki for the advantages of convenience and increasing functionality.

Regarding claim 8, in the obvious combination, Altilio discloses wherein the speaker projects notification signals via the acoustic port (col. 4, lines 46-52).

Regarding claim 9, in the obvious combination, Altilio discloses wherein the mobile device comprises at least one of a portable radio, a portable cassette player, a portable CD player, a portable mini-disc player, and a portable MP3 player (col. 4, lines 46-47). In addition, in the obvious combination, Naruki discloses wherein the mobile device comprises at least one of a portable radio, a portable cassette player, a portable CD player, a portable mini-disc player, and a portable MP3 player (col. 1, lines 7-12).

Regarding claim 10, in the obvious combination, Altilio discloses further comprising a communication circuit disposed within the housing for transmitting and receiving signals (Fig. 2; note the antenna 31).

Regarding claim 12, in the obvious combination, Altilio discloses wherein acoustic port is disposed in an outer edge of the housing (Fig. 1).

Regarding claim 16, Altilio discloses a mobile device (Fig. 1) comprising:

a housing (Fig. 1, reference 10);

an acoustic port (Fig. 1, reference 12b) comprising an opening (Fig. 1, reference 12b; col. 5, lines 22-26) formed at least partially in the housing (Fig. 1), and including a surrounding wall structure (Fig. 1); at least one attaching bar extending across the opening (Fig. 1, reference 35), wherein the attaching bar is spaced with respect to the port such that an open area around the attaching bar is of a sufficient size (Fig. 1, reference 35); and

a speaker (Fig. 2, reference 22) positioned within the mobile device with respect to the acoustic port for directing sound through the acoustic port and out of the mobile device via the opening (Fig. 2, reference 22; col. 5, lines 22-26).

Altilio fails to specifically disclose bar for connecting to an external strap and to allow the external strap to be attached around the attaching bar.

However, Naruki discloses an attachment bar (Fig. 6, reference 67) for connecting to an external strap (Fig. 6, reference 68) and to allow the external strap to be attached around the attaching bar (Fig. 6).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to modify the attachment bar of Altilio for connecting to an external strap

and to allow the external strap to be attached around the attaching bar as suggested by Naruki for the advantages of carrying the device without using the hands (Naruki: col. 6, lines 36-37).

Regarding claim 17, in the obvious combination, Altilio discloses wherein the attaching bar comprises a rigid material (Fig. 1, reference 35; col. 5, lines 32-34).

Regarding claim 18, in the obvious combination, Altilio discloses further comprising an acoustic channel disposed within the mobile device between the speaker and the acoustic port to direct sound through the acoustic port and out of the mobile device (Figs. 1-2; col. 5, lines 22-26).

Regarding claim 19, in the obvious combination, Altilio fails to specifically disclose wherein the speaker directs high-level voice audio out of the mobile device via the acoustic port. However, in the obvious combination, Naruki discloses wherein the speaker directs high-level voice audio out of the mobile device via acoustic port (col. 1, lines 7-12, 39-42; col. 5, lines 37-42).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to project high-level voice audio via the acoustic port of Altilio as suggested by Naruki for the advantages of convenience and increasing functionality.

Regarding claim 20, in the obvious combination, Altilio discloses wherein the speaker projects notification signals out of the mobile device via the acoustic port (col. 4, lines 46-52).

Regarding claim 21, in the obvious combination, Altilio discloses wherein the mobile device comprises at least one of a portable radio, a portable cassette player, a portable CD player, a portable mini-disc player, and a portable MP3 player (col. 4, lines 46-47). In addition, in the obvious combination, Naruki discloses wherein the mobile device comprises at least one of a

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portable radio, a portable cassette player, a portable CD player, a portable mini-disc player, and a portable MP3 player (col. 1, lines 7-12).

Regarding claim 22, in the obvious combination, Altilio discloses further comprising a communication circuit disposed within the housing for transmitting and receiving signals (Fig. 2; note the antenna 31).

Regarding claim 24, in the obvious combination, Altilio discloses wherein the acoustic port is disposed in an outer edge of the housing (Fig. 1).

5. Claims 11, 23, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Altilio in combination with Naruki as applied to claims 10, 22, and 30 above, respectively, and further in view of Iwai et al. (hereinafter "Iwai"; Pub No.: 20050075082).

Regarding claims 11 and 23, Altilio in combination with Naruki disclose the mobile devices of claims 10 and 22, respectively, but fail to disclose wherein the mobile device comprises at least one of a cellular telephone, a personal data assistant, a pager, and a personal communications system.

Note, however, that Altilio discloses a radio antenna and a radio receiver (Fig. 2) and that Naruki relates to portable acoustic devices having radio receivers (col. 3, lines 30-31), thus suggesting wherein the mobile device comprises at least one of a cellular telephone, a personal data assistant, a pager, and a personal communications system.

Nonetheless, Iwai discloses wherein the mobile device comprises at least one of a cellular telephone, a personal data assistant, a pager, and a personal communications system (page 1, paragraph [0002]). Note that all of the references cited teach an attachment member in a mobile radio communication device.



Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to modify the mobile device of Altilio in combination with Naruki to comprise at least one of a cellular telephone, a personal data assistant, a pager, and a personal communications system as suggested by Naruki for the advantages of making it easily adoptable for today's generation of mobile users, increases functionality, is more convenient, and user friendlier.

6. Claims 1-4, 6-10, 12-22, 24-30, and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steiger (Pub. No.: US 2004/0244566) in view of Vanga, II (hereinafter "Vanga"; Patent No.: 5,753,838).

Regarding claim 1, Steiger discloses a mobile device comprising:

a housing (Fig. 1);

a speaker disposed within the housing (Fig. 3, references 41-43) for projecting audible signals from the mobile device (paragraphs [0031], [0033], [0043]);

an acoustic port comprising an opening (Fig. 1, reference 12) disposed in the housing (Fig. 1) and configured to project audible sound from the speaker through the opening (paragraph [0043]); and

an attachment member (Fig. 1, reference 17; note the string holder) for attaching an external strap to the mobile device (paragraph [0029]; note the strings).

Steiger fails to specifically disclose the attachment member spanning the opening of said acoustic port.

However, in the same field of endeavor, Vanga discloses an attachment member (Figs. 3 and 9, reference; note the string holder) spanning the opening of said acoustic port (Figs. 3 and 9, note the sound hole).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to span with the attachment member of Steiger the opening of said acoustic port as suggested by Vanga for the advantages of achieving a frictional fit onto opposing edges of the port and wood screws are not needed (Vanga: Abstract), moving the strings in and out of an operative range (Vanga: col. 1, lines 50-52), and mounting within an already available space of the mobile device (Vanga: col. 5, lines 16-32).

Regarding claim 2, in the obvious combination, Vanga discloses wherein the attachment member comprises a support bar disposed in the opening (Figs. 3 and 9; note the string holder).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to dispose a support bar in the opening for the advantages of achieving a frictional fit onto opposing edges of the port and wood screws are not needed (Vanga: Abstract) and mounting within an already available space of the mobile device (Vanga: col. 5, lines 16-32).

Regarding claim 3, in the obvious combination, Vanga discloses wherein the support bar comprises a rigid material spanning the opening (col. 4, lines 16-22).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to make the support bar of a rigid material spanning the opening for the advantages of having superior durability and being more resistant and difficult to break.

Regarding claim 4, in the obvious combination, Vanga discloses wherein the support bar is spaced from the housing to enable a portion of the external strap to extend between the support bar and the housing (Figs. 3 and 9-10).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to space the support bar from the housing to enable a portion of the external strap to extend between the support bar and the housing for the advantages of holding and securing the strings.

Regarding claim 6, in the obvious combination, Steiger discloses further comprising an acoustic channel disposed within the mobile device between the speaker and the acoustic port to acoustically connect the speaker to the acoustic port (Figs. 1-3; paragraph [0043]).

Regarding claim 7, in the obvious combination, Steiger discloses wherein the speaker projects high-level voice audio via the acoustic port (paragraph [0079]).

Regarding claim 8, in the obvious combination, Steiger discloses wherein the speaker projects notification signals via the acoustic port (paragraph [0033]).

Regarding claim 9, in the obvious combination, Steiger discloses wherein the mobile device comprises at least one of a portable radio, a portable cassette player, a portable CD player, a portable mini-disc player, and a portable MP3 player (Fig. 6; paragraphs [0033], [0099]).

Regarding claim 10, in the obvious combination, Steiger discloses further comprising a communication circuit disposed within the housing for transmitting and receiving signals (Fig. 6).

Regarding claim 12, in the obvious combination, Steiger discloses wherein the acoustic port is disposed in an outer edge of the housing (Figs. 3, 6, 9).

Regarding claim 13, Steiger discloses a method of outputting audible signals from a mobile device comprising a housing (Fig. 1) and a speaker (Fig. 3, references 41-43) for projecting the audible signals disposed within the housing (paragraphs [0031], [0033], [0043]), the method comprising:

providing a recessed acoustic port (Fig. 1, reference 12; note the sound hole) in at least a portion of the housing to project acoustic sound from the mobile device (paragraph [0043], said acoustic port comprising an opening disposed in at least a portion of the housing (Fig. 1, reference 12); and

placing an attachment member (Fig. 1, reference 17; note the string holder) for attaching an external strap to the mobile device (paragraph [0029]; note the strings).

Steiger fails to specifically disclose in the opening.

However, in the same field of endeavor, Vanga discloses an attachment member (Figs. 3 and 9, reference; note the string holder) in the opening (Figs. 3 and 9, note the sound hole).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to place the attachment member of Steiger in the opening as suggested by Vanga for the advantages of achieving a frictional fit onto opposing edges of the opening and wood screws are not needed (Vanga: Abstract) and mounting within an already available space of the mobile device (Vanga: col. 5, lines 16-32).

Regarding claim 14, in the obvious combination, Vanga discloses wherein placing the attachment member in the opening comprises spanning the attachment member across the opening of the recessed acoustic port (Figs. 3 and 9) and spaced with respect to a back portion of

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the recessed acoustic port a sufficient amount (Figs. 3 and 9) to enable a portion of the external strap to attach to the attachment member (Figs. 3 and 9).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to span the attachment member across the opening of the recessed acoustic port and spaced with respect to a back portion of the recessed acoustic port a sufficient amount to enable a portion of the external strap to attach to the attachment member for the advantages of holding and securing the strings.

Regarding claim 15, in the obvious combination, Steiger discloses further comprising providing an acoustic channel within the mobile device between the speaker and the combined attachment and acoustic port to direct the audible signals from the speaker to the acoustic port (Figs. 1-3; paragraph [0043]).

Regarding claim 16, Steiger discloses a mobile device comprising:

- a housing (Fig. 1);

- an acoustic port comprising an opening formed at least partially in the housing (Fig. 1, reference 12; paragraph [0043]) and including a surrounding wall structure (Figs. 1-3);

- at least one attaching bar (Fig. 1, reference 17; ; note the string holder) for connecting to an external strap (paragraph [0029]; note the strings); and

- a speaker (Figs. 1 and 3, references 41-43) positioned within the mobile device with respect to the acoustic port (paragraph [0043]) for directing sound through the acoustic port (paragraphs [0031], [0033], [0043]) and out of the mobile device via the opening (paragraphs [0031], [0033], [0043]).

Steiger fails to specifically disclose the attaching bar extending across the opening, wherein the attaching bar is spaced with respect to the port such that an open area around the attaching bar is of a sufficient size to allow the external strap to be attached around the attaching bar.

However, in the same field of endeavor, Vanga discloses the attaching bar (Figs. 3 and 9, reference; note the string holder) extending across the opening (Figs. 3 and 9, note the sound hole), wherein the attaching bar is spaced with respect to the port (Figs. 3 and 9) such that an open area around the attaching bar is of a sufficient size to allow the external strap to be attached around the attaching bar (Figs. 9 and 12).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to extend the attaching bar of Steiger across the opening wherein the attaching bar is spaced with respect to the port such that an open area around the attaching bar is of a sufficient size to allow the external strap to be attached around the attaching bar as suggested by Vanga for the advantages of holding and securing the strings.

Regarding claim 17, in the obvious combination, Vanga discloses wherein the attaching bar comprises a rigid material (col. 4, lines 16-22).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to make the attaching bar of a rigid material for the advantages of having superior durability and being more resistant and difficult to break.

Regarding claim 18, in the obvious combination, Steiger discloses further comprising an acoustic channel within the mobile device between the speaker and the acoustic port to direct sound through the acoustic port out of the mobile device (Figs. 1-3; paragraph [0043]).

Regarding claim 19, in the obvious combination, Steiger discloses wherein the speaker projects high-level voice audio via the acoustic port (paragraph [0079]).

Regarding claim 20, in the obvious combination, Steiger discloses wherein the speaker projects notification signals out of the mobile device via the acoustic port (paragraph [0033]).

Regarding claim 21, in the obvious combination, Steiger discloses wherein the mobile device comprises at least one of a portable radio, a portable cassette player, a portable CD player, a portable mini-disc player, and a portable MP3 player (Fig. 6; paragraphs [0033], [0099]).

Regarding claim 22, in the obvious combination, Steiger discloses further comprising a communication circuit disposed within the housing for transmitting and receiving signals (Fig. 6).

Regarding claim 24, in the obvious combination, Steiger discloses wherein the acoustic port is disposed in an outer edge of the housing (Figs. 3, 6, 9).

Regarding claim 25, Steiger discloses a mobile device comprising:

a housing (Fig. 1); and

a port comprising an opening disposed at least partially in the housing (Figs. 1 and 3, reference 12; note the sound hole), said port comprising:

projecting means for projecting audible signals from the mobile device via the opening (paragraphs [0030], [0033], [0043]).

Steiger fails to specifically disclose attaching means in the opening for attaching an external strap to the mobile device.

However, in the same field of endeavor, Vanga discloses attaching means (Figs. 3 and 9; note the string holder) in the opening (Figs. 3 and 9; note the sound hole) for attaching an external strap to the mobile device (Figs. 3 and 9; note the strings).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to incorporate in the port of Steiger attaching means in the opening for attaching an external strap to the mobile device as suggested by Vanga for the advantages of achieving a frictional fit onto opposing edges of the port and wood screws are not needed (Vanga: Abstract), moving the strings in and out of an operative range (Vanga: col. 1, lines 50-52), and mounting within an already available space of the mobile device (Vanga: col. 5, lines 16-32).

Regarding claim 26, in the obvious combination, Vanga discloses wherein the attaching means for attaching an external strap comprises an attachment member disposed in the opening (Figs. 3 and 9; note the string holder).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to incorporate an attachment member disposed in the opening for the advantages of achieving a frictional fit onto opposing edges of the port and wood screws are not needed (Vanga: Abstract) and mounting within an already available space of the mobile device (Vanga: col. 5, lines 16-32).



Regarding claim 27, in the obvious combination, Vanga discloses wherein the attachment member is spaced within the opening (Figs. 3 and 9) such that an open area defined between the attachment member and the housing is of sufficient size to attach the external strap to the attachment member (Figs. 3, 9-10, 12).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to space the support bar from the housing to enable a portion of the external strap to extend between the support bar and the housing for the advantages of holding and securing the strings.

Regarding claim 28, in the obvious combination, Steiger discloses further comprising channeling means for channeling the audible the audible signals from a speaker disposed within the housing to the port (Figs. 1-3; paragraph [0043]).

Regarding claim 29, in the obvious combination, Steiger discloses wherein the mobile device comprises at least one of a portable radio, a portable cassette player, a portable CD player, a portable mini-disc player, and a portable MP3 player (Fig. 6; paragraphs [0033], [0099]).

Regarding claim 30, in the obvious combination, Steiger discloses further comprising transmitting means for transmitting and receiving communication signals (Fig. 6).

Regarding claims 32-35, in the obvious combination, Vanga discloses wherein the attachment member is disposed in the opening such that the attachment member is flush with the housing or disposed below an outer edge of the housing (Figs. 3 and 9).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to flush the attachment member with the housing or dispose it below an outer edge of the housing as suggested by Vanga for the advantages of achieving a frictional fit

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onto opposing edges of the port and wood screws are not needed (Vanga: Abstract) and mounting within an already available space of the mobile device (Vanga: col. 5, lines 16-32).

*Allowable Subject Matter*

7. Claims 5 and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marivelisse Santiago-Cordero whose telephone number is (571) 272-7839. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MSC 9/17/07

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WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600